

06/16/2001

#4

FORM SB/64

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT  
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number  
EN11021

First Named Inventor: Hermann

Group Art Unit: 2635

Application Number: 09/730,691

Examiner:

Filed: December 6, 2000

Title: INTELLIGENT POWER SUPPLY AND SYSTEM

**FAX RECEIVED****JUN 16 2003****PETITIONS OFFICE**Attention: Mail Stop Petition  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450**Note:** If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION****NOTE:** A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

## 1. Petition fee

☐ Small entity – fee \$ \_\_\_\_\_ (37 CFR 1.17(l)). Applicant claims small entity status. See 37 CFR 1.27.☒ Other than small entity – fee \$ 1300.00

## 2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of

CORRECTED DRAWINGS (identify type of reply)☐ has been filed previously on \_\_\_\_\_☒ is enclosed herewith

B. The issue fee of \$ \_\_\_\_\_

☐ has been paid previously on \_\_\_\_\_☐ is enclosed herewith.

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PTO/SB/64 (10-00)

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3. Terminal Disclaimer with disclaimer fee  
☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.  
☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ For a small entity or \$ \_\_\_\_\_ For other than a small entity) disclaiming the required period of time is enclosed herewith (See PTO/SB/63)
4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.1379b) was unintentional (MPEP 711.03(c)(iii)(C) and (D))]
5. ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 502117

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

6/16/03  
Date

770-338-3655  
Telephone Number

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JUN 16 2003

PETITIONS OFFICE

[Signature]  
Signature

Philip H. Burrus, IV  
Typed or printed name

Motorola Inc.

Customer Number

- Enclosures: ☒ Fee Payment  
☒ Reply  
☐ Terminal Disclaimer Form  
☐ Additional sheets containing statements establishing unintentional delay

**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first-class Mail in an envelope addressed to:
- ☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark office at (703) 308-6916.
- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as Express Mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450: Express Mail Label No. \_\_\_\_\_

6/16/03  
Date

[Signature]  
Signature

Philip H. Burrus, IV  
Typed or printed name of person signing certificate

U.S.S.N. 09/730,691

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

*Serial No:* 09/730,691  
*Examiner:*  
*Art Group:* 2635  
*Reference No.:* EN11021  
*Appn. Filed:* December 6, 2000  
*Applicants:* Herrmann, John E.

**FAX RECEIVED**  
**JUN 16 2003**  
**PETITIONS OFFICE**

*Title:* Intelligent Power Supply and Cable System

June 16, 2003

Assistant Commissioner for Patents

P. O. Box 1450, Alexandria, VA 22313-1450

**Petition to Revive due to Unintentional Abandonment**

Sir:

With the enclosed materials, Applicant hereby petitions to revive this application that has gone unintentionally abandoned. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional, as the following paragraphs will explain.

Applicant filed the instant application in December of 2000 with informal drawings. Due to an inadvertent drafting error, the margin of FIG. 3 was less than one inch. Consequently, Applicant received a Notice to File Corrected Application Papers, which was mailed January 23, 2001. The Notice to File Corrected Application Papers was stapled to the bottom of the Filing Receipt, under the foreign filing license. Applicant accidentally failed to see this Notice stapled on the back of the foreign filing license.

U.S.S.N. 09/730,691

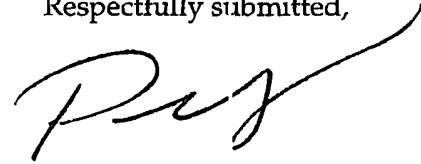
Having not received an Office Action, Applicant mailed a Status Inquiry to the USPTO on September 25, 2002. In response, Applicant received a status letter, mailed November 21, 2002, indicating that the Application would be examined within 3 months. The status reply did not mention that the case was abandoned. Consequently, Applicant believed all was in order with the application. Applicant then received the Notice of Abandonment on June 16 of this year, from which this petition emanates.

Included herein with this response, for your reference, are the following:

1. A copy of the drawings as originally filed;
2. A copy of the Notice to File Corrected Application Papers;
3. Revised drawings with proper margins;
4. A copy of the Status Request filed by Applicant;
5. A copy of the Status Response from the USPTO; and
6. A copy of the Notice of Abandonment.

Applicants kindly thank the Commissioner for consideration of this petition. The Commissioner is hereby authorized to charge the necessary fee (\$130) to Deposit Account No. 50-0304.

Respectfully submitted,



Philip H. Burrus, IV  
Attorney for Applicants  
Registration No. 45,432  
770-338-3614 (fax 3557)

enclosures